

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 887 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

RAVIBHAI BECHARBHAI

Versus

STATE OF GUJARAT

Appearance:

MR RA MISHRA for Petitioner

MR LR POOJARI, AGP. for Respondent No. 1

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 04/05/2000

ORAL JUDGEMENT

The petitioner was granted exemption for agricultural purpose under section 20 of the Urban Land (Ceiling and Regulation) Act,1976. However, the said exemption was withdrawn by the Government by its order

dated 03.06.1988 on the ground that there had been breach of conditions stipulated in the order of exemption. It is the said order of the Government withdrawing the exemption which is under challenge in this petition. Rule was issued on 13.02.1991 and status quo was ordered to be maintained. Today Mr.Poojari, learned Assistant Government Pleader produces a copy of the letter addressed to him by the Additional Collector, Urban Land Ceiling, Rajkot intimating that no further proceedings have been taken during the pendency of the present petition and possession has not been taken of the land which had been declared surplus. Since possession has not been taken, the proceedings relating to the order made under Urban Land (Ceiling and Regulation) Act,1976 abate in view of the provisions of section 4 of the Urban Land (Ceiling and Regulation) Repeal Act,1999. The present petition therefore does not survive and is accordingly disposed of. Rule discharged. No order as to costs.

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m.m.bhatt